

JEFFREY JEANNOT,

Plaintiff,

V.

PHILADELPHIA HOUSING AUTHORITY,
BRANVILLE G. BARD, JR., Chief of Police (in
his individual and official capacities), and
WILLIAM BRITT, Inspector (in his individual and
official capacities),

Defendants.

[illegible]

CIVIL ACTION

No. 18-1977

ORDER

AND NOW, this 19th day of December, 2018, upon consideration of Defendants Philadelphia Housing Authority (the “Housing Authority”), Branville G. Bard, Jr. (“Bard”), and Wiliam Britt’s (“Britt”) Motion to Dismiss Plaintiff’s Second Amended Complaint and Plaintiff Jeffrey Jeannot’s (“Jeannot”) Response to Defendants’ Motion to Dismiss, it is hereby **ORDERED** that Defendants’ Motion to Dismiss Plaintiff’s Second Amended Complaint (Doc. No. 21) is **GRANTED IN PART** and **DENIED IN PART**. It is **FURTHER ORDERED** that:

1. Jeannot's claims of actual disability discrimination in Counts I and II; retaliation in Count III; aiding and abetting against Bard and Britt in Count IV; violation of equal protection rights under the Fourteenth Amendment in Count V; violation of procedural due process rights under the Fourteenth Amendment against individual defendants, Bard and Britt, in

Count VI; and violation of the Family and Medical Leave Act of 1993, 29 U.S.C. § 2601 *et seq.*, are **DISMISSED WITH PREJUDICE**.

2. Defendants' Motion is denied to the extent it seeks to dismiss Jeannot's claim of a violation of his procedural due process rights under the Fourteenth Amendment against the Housing Authority in Count VI.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE